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The Office action has rejected Claims 1-5, 8-13, 15-21 and 23 under 35 U.S.C. §102(e) as being anticipated by Schulz (US Patent N°6,185,538) (hereinafter '538).

The Applicants disagree.

The Applicants claim in Claim 1: "*An editing tool for performing post-production synchronization on a video source, the video source comprising an audio source, the editing tool comprising:*

a speech recognition associating unit collecting and associating basic units of recognized speech and related time codes received from a speech recognition module,

a user interface providing an indication of the current temporal location of a post-production audio recording to be synchronized with the video source with respect to a script corresponding to the audio source using the basic units of recognized speech and related time codes from the speech recognition associating unit."

The Applicants submit that the "*speech recognition associating unit*" claimed in Claim 1 associates "***basic units*** *of recognized speech*" (emphasis added) and "*related time codes*". '538. The speech recognition is therefore performed at a "*basic unit of recognized speech*" level.

On the other hand, it is disclosed in '538 at Column 1, Lines 64 to Column 2, Line 1, that "*means (are provided) for "**recognizing speech** in the audio information and for generating a **character sequence**, particularly an ASCII character sequence, which corresponds to said speech as a function of time*" (emphasis added). It is therefore clear that '538 focus on recognizing and generating the text corresponding to an audio track.

In fact, the Applicants further believe that the limitation "*a user interface providing an indication of the current temporal location of a post-production audio recording to be synchronized with the video source with respect to a script corresponding*

*to the audio source **using the basic units of recognized speech** and **related time codes** from the speech recognition associating unit*" of Claim 1 is clearly neither disclosed nor suggested by D1.

D1 clearly discloses at Column 2, Lines 8-16 that "***The basis for editing** is no longer the image information of the video source material or the information of the audio source material reproduced through a loudspeaker, **but a text derived by speech recognition** from the audio data sequence of the audio source material and **displayed on the screen of a display device**. The **sequence of words** in the text displayed is coupled, as a function of time, with the sequence of images*".

While D1 discloses that the basis for editing is the text derived by speech recognition, Claim 1 discloses an editing tool which operates using "*the basic units of recognized speech*". This is therefore clearly not disclosed.

For anticipation under 35 U.S.C. §102, the reference "*must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present.*" (MPEP §706.02). "*A claim is anticipated only if **each and every** element as set forth in the claim is found, either **expressly or inherently** described, in a single prior art reference.*" Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Applicants therefore believe that the rejection of Claim 1 under 35 U.S.C. §102(e) in view of '538 is fully overcome.

The Applicants therefore submit that Claim 1 is new in view of '538.

The Applicants further believe that Claim 1 is non-obvious in view of D1.

In fact, the Applicants believe that having an editing tool which operates using the "*basic units of recognized text*" is of great advantage over the prior art since it provides a more precise and efficient way to edit text. Firstly the level of editing is better since the editing can be performed at a "*basic unit level*" rather than at a "*word level*". Secondly, in the case where the speech recognition is poor or defective, due to the poor quality of the audio data sequence for instance, it is still possible to perform an editing since "*basic units of recognized text*" can

always be captured. On the other hand, D1 does not enable the editing since the words are not properly recognized. This is therefore of great advantage.

The Applicants therefore believe that Claim 1 is non-obvious in view of D1.

The Applicants believe that Claims 2-17 are new in view of '538 as they are dependent from Claim 1 which is believed to be new in view of '538.

Similarly, the Applicants believe that independent Claim 18 is new in view of '538 as it comprises limitations similar to the limitations of Claim 1.

The Applicants believe that Claims 19-23 are new in view of '538 as they are dependent from Claim 18 which is believed to be new in view of '538.

The Office action states that Claims 6, 7 and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Schulz (US Patent N°6,185,538) in view of Hon et *al.* (US Patent Application N°2001/0044724).

The Applicants submit that since the Office action has failed to reject independent Claim 1 under 35 U.S.C. §103(a) in view of '538 in view of '724, it is assumed that independent Claim 1 is not obvious in view of '538 in view of '724.

Since Claims 6 and 7 are dependent from an independent claim 1 which is non-obvious, it is believed that those claims are non-obvious in view of '538 in view of '724.

Similarly, the Applicants submit that since the Office action has failed to reject independent Claim 18 under 35 U.S.C. §103(a) in view of '538 in view of '724, it is assumed that independent Claim 18 is not obvious in view of '538 in view of '724.

Since Claim 22 is dependent from an independent Claim 18 which is non-obvious, it is believed that this claim is non-obvious in view of '538 in view of '724.

The Office action states that Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Schulz (US Patent N°6,185,538) in view of Abe (US Patent N°6,404,978) (hereinafter '978).

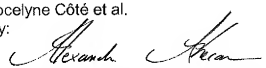
Since Claim 14 is dependent from independent Claim 1 which is non-obvious, it is believed that this claim is non-obvious in view of '538 in view of '978.

The Applicants therefore believe that this objection is fully overcome.

In view of the foregoing, reconsideration of the rejection of Claims 1-23 is respectfully requested. It is believed that Claims 1-23 are allowable over the prior art and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

Jocelyne Côté et al.
By:



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